

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA  
(Rural Development)

Plaintiff

v.

ANDRES ROSADO JIMENEZ, MARILYN  
RIVERA MORALES and the conjugal  
partnership constituted by both,

Defendants

CIVIL NO. 98-2292 (RLA)

FORECLOSURE OF MORTGAGE

MOTION FOR EXECUTION OF JUDGMENT

TO THE HONORABLE COURT:

COMES NOW Plaintiff, United States of America, by its  
undersigned attorneys, and alleges as follows:

1. A Stipulation for Satisfaction of Judgment was executed  
by the parties in this case on November 29, 1999. In said  
Stipulation it was agreed the defendants would continue making the  
regular monthly payment to their mortgage loan in the amount  
stipulated in the Mortgage Note and Mortgage Deed.

2. Judgment was entered in this case against defendants on  
the first loan; the principal aggregate amount of \$40,988.12 and  
\$1,879.84 of interest accrued to December 18, 1997 and thereafter  
at the rate of \$10.1067 daily until paid, plus cost until paid,  
plus any other disbursements that have to be incurred by the

U.S. v. Andres Rosado Jimenez, et al  
Civil No. 98-2292(RLA)  
page 2

plaintiff herein according to the terms of the promissory notes evidencing the loans and the mortgage deed guaranteeing said loans, and attorney's fees, if any.

On the second loan; the principal aggregate amount of \$2,495.91 and \$120.83 rate of interest accrued to December 18, 1997 and thereafter at the rate of \$0.6496, plus cost until paid, plus any other disbursements that have to be incurred by the plaintiff herein according to the terms of the promissory notes evidencing the loans and the mortgage deed guaranteeing said loans and attorney's fees, if any.

3. Defendants have not complied with the terms and conditions of said Stipulation for Satisfaction of Judgment.

4. According to paragraph 3 of the Stipulation for Satisfaction of Judgment if defendants do not comply with the monthly payments as agreed, plaintiff at its sole discretion may proceed with the execution of judgment.

5. More than five (5) years have elapsed from the date said judgment was entered, and thus a request is being made to this Honorable Court, with notification to all parties, to authorize the execution of judgment, pursuant to Rule 69 of the Federal Rules of Civil Procedure and Rule 51 of the Rules of Civil Procedure of the Commonwealth of Puerto Rico.

U.S. v. Andres Rosado Jimenez, et al  
Civil No. 98-2292(RLA)  
page 3

WHEREFORE, plaintiff prays that the United States Marshal for this district be ordered to proceed forthwith to a public sale of the mortgaged property in accordance with the provisions of said judgment, and such further orders or instructions of this Court as may be deemed desirable.

San Juan, Puerto Rico, this 25<sup>th</sup> day of March , 2008.

ROSA EMILIA RODRÍGUEZ-VÉLEZ  
United States Attorney

S/REBECCA VARGAS VERA  
REBECCA VARGAS VERA  
Assistant U.S. Attorney  
U.S.D.C. NO. 203307  
Torre Chardon, Suite 1201  
350 Carlos Chardon Street  
San Juan, Puerto Rico 00918  
Tel. (787) 766-5656  
Fax. (787) 766-6219